4.2 AGRICULTURAL RESOURCES

This section analyzes the potential effects of the proposed project on agricultural resources. The analysis is based on a review of agricultural characteristics of lands in the study area (Exhibit 4.2-1); it is further based on consideration of proposed project actions that could result in adverse physical changes to the environment or in the degradation of physical attributes that historically supported native riparian habitat and that have supported agricultural production in more recent times. This analysis is consistent with the findings in the Recirculated EIR for the Preliminary General Plan (Agricultural Resources) (October 2005) for the Bidwell-Sacramento River State Park General Plan (Park Plan), which presented a thorough analysis of the potential impacts to agricultural resources resulting from the implementation of the Park Plan.

The proposed project actions are consistent with the Park Plan, as described in Chapter 1, "Introduction," of this DEIR. However, while the Singh Unit was discussed in the Park Plan (Section 2.3.3), the Nicolaus property was not identified as a potential acquisition site at the time the Park Plan was prepared. Although the characteristics of the Nicolaus property are similar to other potential acquisitions (e.g., Singh Unit, Beard property, Sunset Ranch) that were discussed and analyzed in the Park Plan, and the recreation facilities proposed for the Nicolaus property are consistent with the recreation facilities proposed and analyzed in the Park Plan, this analysis is necessary to addresses project-specific impacts and to ensure complete analysis of the project's potential effects on agricultural resources.

The information presented in this section is based on review of existing environmental documents and other relevant information, including aerial photography, habitat maps, and proposed restoration plans. The following documents were reviewed during preparation of this analysis:

- State Parks (California Department of Parks and Recreation). 2003 (December). *Bidwell-Sacramento River State Park Preliminary General Plan and DEIR.* Prepared by EDAW. Sacramento, CA.
- State Parks (California Department of Parks and Recreation). 2005 (October). *Bidwell-Sacramento River State Park Recirculated DEIR (Agricultural Resources)*. Prepared by EDAW. Sacramento, CA.
- State Parks (California Department of Parks and Recreation). 2006 (January). *Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated DEIR*. Prepared by EDAW. Sacramento, CA.
- California Bay-Delta Authority. 2005 (June). *Sacramento River–Chico Landing Subreach Habitat Restoration Project Draft Environmental Impact Report.* Prepared by EDAW, Sacramento, CA.
- U.S. Fish and Wildlife Service. 2005. *Comprehensive Conservation Plan for the Sacramento River National Wildlife Refuge*. Sacramento, CA.
- DFG (California Department of Fish and Game). 2004. *Comprehensive Management Plan for the Sacramento River Wildlife Area.* Sacramento, CA.
- TNC (The Nature Conservancy). December 2007. *Riparian Habitat Restoration Plan for Singh Unit Sacramento River (RM 194)*. Prepared for California Department of Parks and Recreation Bidwell-Sacramento River State Park.
- TNC (The Nature Conservancy). August 2007. *Riparian Habitat Restoration Plan for Nicolaus Property Sacramento River (RM 195)*. Prepared for California Department of Parks and Recreation Bidwell-Sacramento River State Park.

Documents that provided information relevant to this analysis are cited throughout this section, and corresponding references are included in Chapter 9, "References."

4.2.1 ENVIRONMENTAL SETTING

Much of the soil in the study area is considered prime agricultural soil, which is why substantial amounts of native riparian vegetation have been cleared for agriculture. Prime soils are reflected in the mapping of "Important Farmland." Important Farmland is defined as "Prime Farmland," "Farmland of Statewide Importance," "Unique Farmland," or "Farmland of Local Importance" under the Farmland Mapping and Monitoring Program (FMMP) administered by the California Department of Conservation (DOC). The FMMP also includes "Irrigated Farmland" and "Non-irrigated Farmland" for areas where modern soil survey information does not exist, as is the case in Butte County, and for which there is an expressed local concern on the status of farmland. As illustrated in Exhibit 4.2-1, the Singh Unit and the Nicolaus property are designated as "Irrigated Farmland."

Both the Singh Unit (approximately 43 acres) and Nicolaus property (approximately 146 acres) are currently in agricultural production. Approximately 34 acres of the Singh Unit are planted in walnuts, ranging in age from one-year replants to ten-year old trees. Approximately 104 acres of the Nicolaus property are planted in walnuts, ranging in age from six-year old trees to eleven-year old trees, and approximately 32 acres are planted in almonds, planted approximately ten years ago. The Nicolaus property includes an agricultural building complex consisting of a residence, two sheds, and a barn.

According to the 2006 Agricultural Crop Report (Butte County 2007), 464,308 acres are in agricultural production in Butte County, of which almonds and walnuts accounted for 74,942 acres. The Singh Unit and Nicolaus property orchards (totaling approximately 170 acres of agricultural production) account for approximately 0.2% of Butte County's almond and walnut orchards and approximately 0.04% of land in agricultural production.

4.2.2 REGULATORY SETTING

The project site is located within and adjacent to BSRSP, and is subject to the Goals and Guidelines of the Park Plan. State Parks relies on multi-agency coordination in overall operations and resource management efforts at the Park. This coordination is formalized in a Memorandum of Understanding (MOU) between State Parks, U.S. Fish and Wildlife Service, and the California Department of Fish and Game established in 2001. It applies to lands within the Sacramento River National Wildlife Refuge (SRNWR) (owned by USFWS), Sacramento River Wildlife Area (SRWA) (owned by DFG) and State Parks, and includes future property acquisitions.

The MOU formally documents the agreement between these public land management agencies to manage, monitor, restore and enhance lands managed for fish, wildlife and plants along the Sacramento River in Tehama, Butte, Glenn, and Colusa counties. It also prevents duplicative land management and property acquisition efforts.

Section 3.3.1, "Local and Regional Conservation Planning," of this DEIR describes the regional conservation plans that these agencies have prepared, which are applicable to the project sites and surrounding lands. The plans include the Park Plan (State Parks 2003, 2005, 2006), the DFG Sacramento River Wildlife Area Comprehensive Management Plan (DFG 2004), the USFWS Sacramento River National Wildlife Refuge Comprehensive Conservation Plan (USFWS 2005), and the Sacramento River Conservation Area (State of California Resources Agency 1989).

FEDERAL AND STATE FARMLAND PROTECTION POLICIES

Loss of farmland is an important concern that is captured by the development of federal, state and local policies calling for protection of Prime, Unique or Statewide Important Farmland. Under the Federal Farmland Protection Policy Act (FPPA)(Subtitle I of Title XI, Section 1539–1549), projects are subject to FPPA requirements if they

may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by, or with the assistance of, a federal agency. However, as the U.S. Department of Agriculture's Farmland and Conversion Impact Rating form advises, "The purpose of the rating process is to insure that the most valuable and viable farmlands are protected from development projects sponsored by the Federal Government... Accordingly, a site with a large quantity of non-urban land surrounding it will receive a greater number of points for protection from development." The form advises that the "LESA system (Land Evaluation-Site Assessment) is used as a tool to help assess the options for land use on an evaluation of productivity weighed against *commitment to urban development*." (USDA Farmland Conversion Impact Rating Form AD-1006 (10-83) at pages 4 and 7. Emphasis added.)

Under the California LESA model the proposed project would not qualify as "Land Committed to Nonagricultural Use" as such land is designated as having received discretionary *development* approvals, such as a tentative subdivision map, tentative or final parcel map, or recorded development agreement. (DOC California Agricultural LESA Model 1997 Instruction Manual (Manual) at page 26). In contrast, the proposed project falls within the California LESA model definition of "protected resource lands." The model defines protected resource lands as "those lands with long term use restrictions that are compatible with, or supportive of, agricultural uses of land. Included among them are the following: publicly owned lands maintained as park, forest, or watershed resources; and lands with agricultural, wildlife habitat, open space, or other natural resource easements that restrict the conversion of such land to urban or industrial uses" (Manual at page 28). Because this project concerns protected resource lands and not "Land Committed to Nonagricultural Use" by virtue of urban development, evaluation under the LESA Model was not deemed appropriate. Such a determination by a lead agency is consistent with CEQA Statutes Section 21095, which makes use of LESA an "optional methodology."

AMERICAN FARMLAND TRUST MAPPING PROGRAM

In 1997, American Farmland Trust released a study that showed the geographic relationship between high quality farmland and land development pressure in the United States, using the U.S. Department of Agriculture's National Resources Inventory. That study used the unit of Major Land Resource Areas to determine where the most threatened farmland lay throughout the United States. The map defined high-quality farmland by combining the USDA's "prime farmland" designation (land most suitable for producing food, feed, forage, fiber and oilseed crops) with American Farmland Trust's unique farmland definition (land used to grow vegetables, grapes and horticultural crops, including fruits, nuts and berries, that have unique soil and climatic requirements.) Then American Farmland Trust determined acreage amounts of prime and unique farmland within each of the 33,000 mapping units included in the map database.

Development is defined by American Farmland Trust as the change in urban built-up land occurring within each of the 33,000 mapping units between 1992 and 1997. Because farmland conversion is taking place in every state, the map identifies high-quality farmland that is important relative to statistical benchmarks established for each state. In addition to identifying the most intense areas of high quality farmland conversion in the nation, the map also identifies where conversion was most intense within each given state (American Farmland Trust 2007).

CALIFORNIA LAND CONSERVATION ACT OF 1965 (WILLIAMSON ACT)

Since 1965 the State has encouraged landowners to protect agriculture and open space lands via the California Land Conservation Act of 1965, commonly referred to as the Williamson Act. Under this law, agricultural, recreational, and other related open space uses are protected with property tax incentives when the landowner enters into a restrictive use contract with the State. Counties benefit when they formally adopt the program because they are then able to claim "Open Space Subvention Act Payments" that partially replace property tax losses associated with Williamson Act enrollees. Butte County administers the Williamson Act Program, which is intended to preserve farmland although a landowner could have other activities on the same land, including a permitted mining operation, a hunting club (without permanent facilities), or processing operations for agricultural products. Williamson Act contracts have a 10 year renewable contract term.

The Nicolaus property is currently under a Williamson Act Contract and no nonrenewal notice has been filed; however, there is no Williamson Act contract for the Singh Unit. Since 2000, Williamson Act Program enrollment in Butte County has increased 3,661 acres, to a total of 215,248 acres (based on 2005 figures) (DOC 2006).

BUTTE COUNTY GENERAL PLAN

Butte County addresses the protection of agriculture in its General Plan as follows:

Agriculture and Crop Land

- **Policy B:** Retain in an agricultural designation on the land use map areas where location, natural conditions and water availability make lands well suited to orchard and field crop use, while considering for non-agricultural use areas where urban encroachment has made inroads into agricultural areas and where past official actions have planned areas for development.

4.2.3 ENVIRONMENTAL IMPACTS

THRESHOLDS OF SIGNIFICANCE

Information useful for developing thresholds of significance for determining whether an agricultural land conversion creates a significant environmental effect was reviewed, including the State CEQA Guidelines and other CEQA documents addressing the topic.

Appendix G of the State CEQA Guidelines is a "checklist" of sample questions to aid lead agencies in determining whether a project could cause potentially significant environmental impacts. The "Agriculture Resources" section of the Appendix G checklist provides examples of land use changes as a way of aiding lead agencies in determining whether impacts to agricultural resources result in significant environmental effects. The checklist asks whether the project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;

- Conflict with existing zoning for agricultural use, or a Williamson Act contract; or

- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland, to non-agricultural use.

Although land use changes are not, in and of themselves, significant effects on the environment, changes from less-intensive to more-intensive uses can be indicators that physical effects may be reasonably foreseeable, including indirect and secondary effects. As stated in the CEQA Guidelines definitions, "effects" includes:

> Indirect or secondary effects which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect or secondary effects may include *growth-inducing effects and other effects related to induced changes in the pattern of land use*, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems. (CEQA Guidelines Section 15358(a)(2). Emphasis added.)

Therefore, the threshold question is not whether there will be a land use change, but whether the land use change will result in a potentially significant adverse impact on the physical environment. The "environment" is defined as land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. (CEQA

Guidelines Section 15360.) Although the "environment" includes "both natural and man made conditions," the Guidelines acknowledge that current "natural conditions, including ecosystems" can in fact be man-made.[1]

For this analysis, the project would be considered to have a significant effect on agricultural resources if it would:

- Result in a permanent conversion of a substantial acreage of Prime, Unique, or Statewide Important Farmland. A permanent conversion is considered to be one that involves the irreversible change to land uses that would cause serious degradation or elimination of the physical conditions or natural processes that provide the land's resource qualities for agriculture and/or require expenditures of substantial development costs that would likely preclude future conversion back to agricultural uses if the opportunity for such conversion were to arise (CBDA 2005).

4.2.4 IMPACT ANALYSIS

IMPACT 4.2-a **Change of Land Use from Agricultural Land to Restored Native Riparian Habitat and Developed Recreational Facilities.** *The proposed project would restore agricultural acreage to native riparian habitat and develop outdoor recreation facilities, effectively removing the land from agricultural production. However, the proposed project would neither be irreversible nor cause serious degradation or elimination of the physical or natural conditions that provide the site's values for farming. The proposed project would not stop or hinder the agricultural practices that occur on neighboring properties. This impact is considered* ***less than significant****.*

Implementation of the proposed project would result in a change in land use in areas designated as "Irrigated Farmland," which are currently in agricultural production (almond and walnut orchards). The Singh Unit would be restored to natural vegetation conditions with a trail connecting to other BSRSP facilities. The Nicolaus property would support a combination of restored natural vegetation and low-intensity, outdoor recreation uses. This change in land use could have a minor economic effect related to a reduction of local crop production.[2] As described above, 464,308 acres are in agricultural production in Butte County, of which almonds and walnuts accounted for 74,942 acres (Butte County 2007). The Singh Unit and Nicolaus property orchards (totaling approximately 170 acres of agricultural production) account for approximately 0.2% of Butte County's almond and walnut orchards and approximately 0.04% of land in agricultural production. However, the change from commercial uses to non-commercial uses (i.e., the change from walnuts to native vegetation) would not substantially diminish the land, soils or open space values of the physical resource, nor would they preclude future agricultural use of the land or preclude nearby agricultural uses, as described below.

Conversion of Agricultural Land and Relationship to CEQA

The proposed riparian habitat restoration and outdoor recreation facilities on the Singh Unit and the Nicolaus property do not constitute a conversion of farmland resulting in potentially significant adverse environmental impacts as defined in CEQA and the State CEQA Guidelines. In the American Farmland Trust's mapping program, the assessment of loss of farmland (i.e., conversion) evaluates the acres of farmland converted to developed uses (American Farmland Trust 2007). The definition of "development" uses the term, "urban and built-up areas" from the National Resource Inventory, which is described as follows:

[1] For example, man-made agricultural drainage and irrigation canals can constitute critical riparian habitat for the giant garter snake (GGS) (*Thamnophis gigas*), a threatened species under both the Federal and State Endangered Species Acts. As stated in the *Natomas Basin Habitat Conservation Plan, Sacramento and Sutter Counties* (City of Sacramento 2003): "After emergence from winter retreats, which occurs by late March or early April, GGS utilize canals with water that persists through the summer months. Many of the canals contain adequate emergent aquatic vegetation and steep, vegetated banks that provide cover and an abundant food supply of small fish, tadpoles and frogs." (*Natomas Basin HCP – Biological Data*, at p. II-9.)

[2] An economic or social change by itself is not considered a significant effect on the environment (CEQA Guidelines Section15382).

- **urban and built-up areas:** A land cover/use category from the National Resources Inventory that includes residential, industrial, commercial, and institutional land; construction sites; public administrative sites; railroad yards; cemeteries; airports; golf courses; sanitary landfills; sewage treatment plants; water control structures and spillways; other land used for such purposes; small parks (less than 10 acres) within urban built up areas; and highways, railroads and other transportation facilities if they are surrounded by urban areas.

Similarly, the term "urban and built up land" is also used in the California DOC's FMMP. The proposed habitat restoration and outdoor recreation facilities do not fit this definition of urban and built-up land. Therefore, the planned uses do not qualify as "conversion" to development.

At the federal level, the Federal Farmland Policy Protection Act (FPPA) requires consideration of whether federal actions would lead to the conversion of agricultural lands to non-agricultural uses. While the statute does not include a definition of "non-agricultural uses," the procedures established by the Natural Resources Conservation Service (NRCS) for assessing farmland conversion impacts provide some insight. NRCS created Form AD 1006 to provide a "Farmland Conversion Impact Rating" to Federal actions. In assessing conversions, the form defines uses as "urban," which detract from agricultural land values in the rating system, and "non-urban uses," which create or protect agricultural land values in the rating system. The definition of "non-urban uses" includes: agricultural land; range land; forest land; non-paved parks and recreational areas; rural roads; lakes, ponds and other water bodies; open space; and wetlands, among other similar uses. Urban uses include houses, apartments, commercial and industrial buildings, paved recreation areas (e.g., tennis courts), and other urban development (NRCS 1983). The proposed project would not result in "urban" uses, but would fall within the "non-urban" use category (i.e., non-paved parks and recreational areas, rural roads, other water bodies, open space, and wetlands) that creates or protects agricultural land values. Therefore, the ultimate physical conditions of the Singh Unit and the Nicolaus property resulting from the proposed project would be protective of agricultural land values, as considered by the procedures implementing the FPPA.

In addition, the LESA Model (referenced in Appendix G of the CEQA Guidelines) defines "Land Committed to Nonagricultural Use," as "land that is permanently committed by local elected officials to nonagricultural development by virtue of decisions which cannot be reversed simply by a majority vote of a city council or county board of supervisors." (*LESA Instruction Manual* p. 26.) The commitment to non-agricultural uses is further described as requiring a tentative subdivision map, tentative or final parcel map, or recorded development agreement. Each of these descriptors involves an urban development action; however, no urban development would occur under the proposed project.

In contrast, the proposed riparian habitat restoration and outdoor recreation facilities qualify as "Protected Resources Lands" (*LESA Instruction Manual* p. 28.) as follows:

Protected resource lands are those lands with long term use restrictions that are compatible with or supportive of agricultural uses of land. Included among them are the following:

- Williamson Act contracted lands
- Publicly owned lands maintained as park, forest, or watershed resources
- Lands with agricultural, wildlife habitat, open space, or other natural resource easements that restrict the conversion of such land to urban or industrial uses.

Habitat Restoration

The vast majority of the Singh Unit and Nicolaus property would be restored to native riparian habitat under the proposed project. Unlike urban development, natural vegetation restoration would represent a return to the land's original (natural) physical condition, as part of a riparian corridor, which offers long-term natural process and function benefits, including the natural formation of soils that provide these sites with their current resource

values. Because the resource value of the soil is tied directly to the natural conditions and processes that existed prior to commercial agricultural cultivation, native vegetation restoration efforts would in effect be preserving (and possibly improving over time) the soil integrity (Cannon 2004).

TNC (in partnership with USFWS) evaluated the effects of agriculture and habitat restoration in the inner river zone. The findings show that in a dynamic riverine environment, the management of prime and unique farmland soils for agricultural purposes can expose them to some degree of degradation. Protection from flooding and associated sediment deposition, tilling, and the application of agricultural chemicals can adversely affect nutrient cycling, increase exposure to erosion, and inhibit natural soil microorganisms. In contrast, in restored riparian woodland, soils are improved in the values that make them valuable for farming. Brown and Wood (2002) evaluated soil development at riparian forest sites at different stages of restoration (new to mature), finding that soil bulk densities decreased as restored riparian forests matured. Higher bulk densities are evidence of soil compaction that happened over time. The lower bulk densities exhibited in mature forests is considered to result from increased biological activity in the soil, such as earthworms, beetles and small mammals aerating the soils (Brown and Wood 2002).

The proposed project would re-establish long-term processes and functions present in riparian habitat communities, including the natural formation of soils that gave the Singh Unit and Nicolaus property their original agricultural value. Fully functioning riparian ecosystems are also known to improve groundwater and surface water quality by removing undesirable constituents such as nutrients and pesticides (Brown and Wood 2002). Ceasing agricultural practices and restoring the project area could benefit adjacent and downstream agricultural lands by diminishing the volume and frequency of pesticides applied to the properties, slowing the loss of soils from the sites onto adjacent or downstream locations, and by increasing groundwater levels. Because the agricultural value of the soil is tied directly to the natural conditions and processes that existed before commercial agricultural development of the land, habitat restoration efforts would in effect be preserving (and possibly improving over time) the agricultural value of the soil (Cannon 2004, Tilman et al. 1996 and 2002).

Recreational Facilities Development

Consistent with Park Plan Guideline AO-3.2-1, the proposed recreational facilities have been designed such that they would minimize alteration of the natural landform and they would be compatible with the open space values of the area, including the resource values that support agricultural productivity. The proposed outdoor recreational facilities, which include standard trails/campground/day-use features and ancillary facilities (e.g., parking, restrooms, etc.), would include minimal paving and limited small structures. The proposed recreational facilities would be sufficiently limited in nature (i.e., small areas used for trails, parking, and camping that could be readily demolished and removed), such that it would be feasible to return the lands to another resource-based use, such as agricultural production, at some future time. Consequently, the development of the proposed outdoor recreation facilities would not constitute agricultural land conversion in the sense of the environmental impact concerns of CEQA.

Indirect Conversion of Agricultural Land

As described above, the proposed habitat restoration and recreational facilities are non-urban uses that would be protective of and compatible with adjacent agricultural land. Additionally, the project would not include the extension of utility lines or new utility connections, which would potentially open new development pressures.

However, during the scoping process for this project, neighboring private agricultural land owners expressed concerns regarding indirect effects of the project on their land. The project has considered and incorporated measures to avoid indirect impacts to neighboring agricultural lands as follows.

Hydrology

As described in Chapter 3, the habitat restoration plans (Appendix C) are based on hydraulic modeling (Appendix B) which takes into consideration the hydrologic regime in the project area as well as soil and ground water conditions. Please refer to Section 4.3 of this DEIR, "Hydrology, Water Quality, and River Geomorphology," for the analysis of the project's potential impacts related to flooding, hydrology, and water quality.

Pests

The habitat restoration plans include grassland buffers where the project site borders active agricultural land, to prevent encroachment of the riparian vegetation on neighboring agricultural land and to minimize pest concerns. The proposed grassland buffer would be approximately 100-feet wide and would be maintained by State Parks (mowed at least biannually to prevent woody species establishment). A wider grassland buffer is not proposed for this project because the habitat restoration plans do not include planting any threatened or endangered plant species; therefore, a large grassland buffer is unnecessary to prevent encroachment of such species onto private property. Additionally, a large grassland buffer is unnecessary to protect the restoration area from spray-drift from adjacent agricultural activities. Furthermore, grassland buffer zones may not be effective against all possible pests. In general, a vegetated buffer of mowed grass may be effective in preventing the exchange of codling moth between orchards and riparian forests by providing a barrier to movement, but would not be expected to deter the spread of vertebrate pests such as California voles, Botta's pocket gopher, or California ground squirrel, or the invertebrate pest, western tarnish bug (aka Lygus bug). In contrast, it is possible that to reduce California ground squirrel, California vole, and Lygus bug population sizes, a more appropriate buffer would likely be a dense closed canopy shrub or tree type with low density of herbaceous plants (Colusa Pest and Regulatory Effects Study; EDAW 2007).

Trespass

The boundaries between the project site, which would be part of State Park's BSRSP, and private property would be clearly posted, consistent with Guideline AO-1.1-2 and AO-4.4-1 of the Park Plan. Additionally, the proposed trails and recreational facilities on the Nicolaus property and Singh Unit would be no closer than 100 feet from private property boundaries. The proposed campsites would be located the center of the Nicolaus property, surrounded by restored riparian habitat to provide a buffer between campsites and the neighboring private property. Furthermore, as part of BSRSP, the project site would be managed and maintained consistent with the Park Plan goals and guidelines, including coordinating with public and private landowners in the project vicinity to minimize land use conflicts (Park Plan Overall Goal AO-4).

Law enforcement services are provided concurrently by State Parks and local law enforcement agencies, namely Butte County Sheriff Department for the portion of BSRSP in Butte County. Park security is the primary responsibility of the Park Ranger serving the Park. Additionally, consistent with the Park Plan Goal AO-4.4, State Parks will work with private landowners in proximity to BSRSP to minimize conflicts associated with the mixed public and private land ownership in the area.

Conclusion

The proposed project would not result in conversion of agricultural land to urban uses and would, therefore, not result in a loss of farmland as a resource, significant damage to soil values of the resource, or detraction from the agricultural values of the resource. Additionally, the habitat restoration and outdoor recreation facilities are designed and would be managed to avoid indirect adverse primary or secondary effects on adjacent agricultural land. Based on the information presented above, State Parks concludes that the proposed project would result in a ***less-than-significant impact on agricultural resources*** within the intended meaning of CEQA and the CEQA Guidelines.

IMPACT 4.2-b **Williamson Act Contract Cancellation and Land Use Compatibility.** *The Singh Unit is not in a Williamson Act contract. However, the Nicolaus property (approximately 146 acres) is currently in a Williamson Act contract. Transfer of ownership of the Nicolaus property from TNC to the State of California (i.e., State Parks) would not require a new Williamson Act contract (pursuant to California Government Code Section 51295). However, prior to the land transfer, State Parks is required to make findings pursuant to California Government Code Section 51292 to support the cancellation of the Williamson Act contract for the property. The cancellation would represent a 0.07% decrease in the total acreage under contract in Butte County (using data from 2005, which is the most recent data available). However, per California Government Code Section 51238.1, the proposed habitat restoration and outdoor recreational facilities would not significantly compromise the long-term agricultural capability of the Singh Unit and Nicolaus property. In addition, the habitat restoration and recreational facilities proposed are considered compatible with agriculture and therefore would have no significant adverse effects on neighboring farmland production. Therefore, this impact is considered* ***less than significant****.*

Williamson Act Contract Cancellation Process

The Singh Unit is not in a Williamson Act contract. However, the Nicolaus property (approximately 146 acres) is currently in a Williamson Act contract and no nonrenewal request has been filed. Prior to the transfer of land from TNC to State Parks, State Parks is required to make findings pursuant to California Government Code Section 51292 to support the cancellation of the Williamson Act contract for the property. As stated in Government Code Section 51292, it is the policy of the state that public agencies cannot locate public improvements in agricultural preserves unless specific findings can be made:

- The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve. (Section 51292[a])

- If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement (Section 51292[b])

It is anticipated that State Parks could support the first finding because the selection of the Nicolaus property was based on the location at the confluence of the Sacramento River, Big Chico Creek, and Mud Creek; the location relative to BSRSP; the potential the site offers to rehabilitate natural river processes, aid recovery of special-status species, restore riparian habitat, and improve water quality; and a willing seller. The property represents the potential expansion of BSRSP, including expansion of native riparian habitat in the Park (and within the greater area of protected and restored habitat along the Sacramento River between river mile [RM] 199 and RM 193) and the expansion and improvement of recreational facilities.

It is also anticipated that State Parks could support the second required finding. As the purpose of the land transfer from TNC to State Parks is both restoration of native riparian habitat and expansion of the BSRSP, the property needs to be adjacent to existing BSRSP property and offer an opportunity to restore riparian habitat. The Nicolaus property is located directly across River Road from the Indian Fishery Subunit and north of the Singh Unit, separated by a privately owned orchard and field crops. New recreation facilities, such as trails and campground, would connect to and support the use of other existing facilities in BSRSP. Additionally, the exiting farm complex would provide the ability to relocate the BSRSP headquarters. The location at the confluence of the Sacramento River, Big Chico Creek, and Mud Creek provides a unique habitat restoration opportunity. This property is also located within the Sacramento River Conservation Area (SRCA), and could support the SRCA goal to "preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Redding and Chico and reestablish riparian vegetation along the river from Chico to Verona." Furthermore, the Nicolaus property, which is owned by TNC, has an owner willing to transfer the land to State Parks. Due to the large amount of land in public ownership in the vicinity of BSRSP, and the lack of private land owners willing to sell land adjacent to BSRSP, another location was not identified that could meet these criteria.

Once State Parks makes the findings pursuant to Section 51292, the Williamson Act contract would be cancelled and a new Williamson Act contract would not be required (pursuant to California Government Code Section 51295).

As of 2005, a total of 215,248 acres were enrolled in the Williamson Act Program in Butte County (DOC 2006). The cancellation of the Williamson Act contract for the Nicolaus property (approximately 146 acres) would represent a 0.07% decrease in the total acreage under contract in Butte County.

Land Use Compatibility with Agriculture and Williamson Act Contracts

The proposed habitat restoration and outdoor recreational uses at the project site would be compatible with surrounding agriculture land uses, based on existing federal and state laws and programs for farmland protection. As described in Impact 4.2-a, the Federal FPPA indicates that non-agricultural uses are urban uses, which detract from agricultural land values in the rating system, while "non-urban uses," which create or protect agricultural land values, include non-paved parks and recreational areas. Based on the characteristics of the proposed habitat restoration and outdoor recreation facilities, the project would qualify as non-urban uses, which the FPPA considers to be protective of and compatible with agricultural values. The Williamson Act also contains numerous provisions that recognize the compatibility between agricultural and recreation/open space uses. The definitions included in the statute are the first indication of such compatibility. It defines an "agricultural preserve" as an area devoted to either agricultural use, recreational use, open space use, or any combination thereof (California Government Code Section 51201(d)). Also, "recreational use" is defined as the use of the land in its agricultural or natural state by the public, with or without charge, for a range of listed uses, including, but not limited to walking, hiking, picnicking, camping, swimming, boating, fishing, and other outdoor sports (California Government Code Section 51201(n)). Finally, "compatible use" is defined as any use determined to be compatible with the agricultural, recreational, or open space use of the land within the preserve (California Government Code Section 51201(e)) The habitat restoration and recreational facilities proposed are considered compatible with agriculture and therefore should have no significant adverse effects on neighboring farmland production. Furthermore, per the goals and guidelines under Park Plan Overall Goal AO-4, State Parks has incorporated design features (e.g., grassland buffers) into the habitat restoration and recreation facility plans to minimize land use incompatibilities and has/will coordinate with public and private landowners in the project vicinity to minimize land use conflicts. Park Plan guidelines also address fire protection and law enforcement at the Park (see Chapter 3, "Description of the Proposed Project") to minimize incompatibilities with active agricultural operations on adjacent properties.

The definitions described above are reinforced in Section 52105 of the Williamson Act, which states that land devoted to recreational use…may be included within an agricultural preserve (California Government Code Section 51205). In outlining the purpose of the Williamson Act, the statute states that the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest (California Government Code Section 51220(c)); there is no reference to other non-urban uses, such as low-intensity rural outdoor recreation, such as those that result from the proposed project. The clearest evidence for compatibility between agriculture and the habitat restoration and recreational facilities proposed at the project site are found in the principles of compatibility presented in Section 51238.1 of the statute. It states that uses approved on contracted lands, such as those proposed for the project site, will not significantly compromise the long-term agricultural capability of the subject contracted parcel in agricultural preserves (California Government Code Section 51238.1(a)(1)). The proposed project, and goals and guidelines of the Park Plan, strive to maintain physical conditions of the land that create resource values, including future agricultural and open space capabilities. Therefore, the habitat restoration and recreational facilities proposed are considered compatible with surrounding agriculture land use this impact is considered ***less than significant***.

SOCIOECONOMIC CONSIDERATIONS

The CEQA Guidelines provide that "economic or social information *may* be included in an EIR or *may* be presented in whatever form the agency desires" but that "economic or social effects of a project *shall not* be

treated as significant effects on the environment." (CEQA Guidelines Section 15131. Emphasis added). Therefore, while social and economic consequences are not in of themselves environmental impacts under CEQA, this section discusses socioeconomic considerations related to agricultural production resulting from implementation of the proposed project.

Agricultural production supports considerable economic activity in Butte County. The value of all agricultural production in Butte County was approximately $454 million in 2006 (Butte County 2007). Almonds and walnuts accounted for approximately $104.5 million and $76.7 million of total production, respectively. In 2006, the amount of land in agricultural production in Butte County was 464,308 acres, of which almonds and walnuts accounted for 74,942 acres.

Combined, the Singh Unit and Nicolaus property represent a total of 189 acres of designated Irrigated Farmland (see Section 4.2.1). Of this amount, a total of 170 acres are currently planted in walnuts and almonds. If this total acreage was removed from production for native vegetation restoration or rural outdoor recreation uses, it would constitute a very small portion of total agricultural lands in walnut and almond production in Butte County (approximately 0.2% of Butte County's almond and walnut orchards and approximately 0.04% of land in agricultural production). Reducing agricultural production value by this proportion would have a minor, if not unnoticeable, economic effect in the county. The cessation of agricultural production can also cause an indirect economic ripple effect on secondary service and supply businesses supporting agriculture. However, because of the small relative contribution of the project site to agricultural production in the county, the combined direct and indirect economic effect of removing agricultural production from these lands would be minor.

4.2.4 MITIGATION MEASURES

No mitigation is required for impacts to agricultural resources.